



Appeal Decision

Site visit made on 16 June 2020

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 1st July 2020

Appeal Ref: APP/D2320/D/20/3244138

133 Higher Meadow, Clayton-Le-Woods, Leyland PR25 5RP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Jane Edwards against the decision of Chorley Borough Council.
 - The application Ref 19/00483/FULHH, dated 06 May 2019, was refused by notice dated 18 October 2019.
 - The development proposed is two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for two storey side extension at 133 Higher Meadow, Clayton-Le-Woods, Leyland PR25 5RP, in accordance with the terms of the application, Ref 19/00483/FULHH, dated 06 May 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 06/05/05, Proposed Site Plan, dated 06 May 19; 06/05/01B, Plans and Elevations, dated 06 May 19; 06/05/03B, Plans and Elevations, dated 06 May 19; and 06/05/03A, Proposed Dimensions, dated 06 May 19.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of Nos 131 and 99 Higher Meadow, with particular regard to light and outlook.

Reasons

3. No 133 is a modest 2 storey dwelling at the head of a residential cul-de-sac. The area is characterised by single storey and 2 storey properties of similar ages, styles and building materials. Properties are individually sited and spaced along curvilinear roads and cul-de-sacs. In this regard, No 133 is angled such that its front elevation faces the side elevation of No 131. Its side elevation faces into the garden and towards the shared boundary with No 99.

4. The proposal would be the full depth and height of No 133. Therefore, it would not appear subservient to the host property. However, by virtue of the simple appearance and detached nature of the appeal property, and its unobtrusive location, the proposal would not harm the character and appearance of No 133 or the street scene.
5. The proposal would project several metres beyond the rear elevation of No 131. Therefore, its front elevation would face the rear garden of the neighbouring property. By virtue of the orientation and separation of the properties, the proposal would not be conspicuous from the windows in the rear elevation of No 131. Nevertheless, it would be visible from the rear garden and conservatory of No 131. However, its visual impact would be mitigated by the change in ground levels and its sloping roof. In addition, the proposal would be screened in part from the rear of No 131 by the tall boundary fence and the garden shed of No 131, which is adjacent to the shared boundary. Therefore, the proposal would not result in a significant loss of outlook and it would not be significantly overbearing when viewed from the rear garden or conservatory of No 131.
6. The rear garden of No 131 is an irregular shape, and the relatively small part close to the appeal property is occupied by the shed. Therefore, the proposal would result in limited shading of the shed roof and the adjacent garden, which will already be shaded by the shed and fence. On this basis, it seems likely that the neighbours will spend a greater amount of their time in the more generously proportioned parts of their garden further from the appeal property. Therefore, the limited additional shading would not be detrimental to the occupiers of No 131 when using their garden. Furthermore, by virtue of its separation distance, height and orientation, the proposal would not result in a significant loss of light to the habitable rooms or conservatory of No 131.
7. The proposal would project towards No 99, which is an extended 2 storey detached property in an elevated position overlooking No 133. By virtue of the change in ground levels, the separation between the properties and the tall boundary fence, the proposal would not result in a loss of light or significant loss of outlook from the rear of the neighbouring property.
8. Therefore, the proposal would not result in significant harm to the living conditions of the neighbouring residential occupiers of No 99 or No 131 Higher Meadow, with particular regard to outlook and light. It would not conflict with Policy HS5 of the Chorley Local Plan 2012-2026 Site Allocations and Development Management Policies Development Plan Document Adopted July 2015. Similarly, it would not conflict with the residential amenity aims of Chorley Council's Householder Design Guidance Supplementary Planning Document Adopted January 2017 or the National Planning Policy Framework (the Framework).

Other Matters

9. I note the neighbour representation objecting to the proposal on grounds relating to loss of light, privacy and outlook. In this respect, I acknowledge that a single storey extension would be less visible than a 2 storey extension from the rear of No 131. Nevertheless, I have found that the appeal proposal would not result in significant impacts on the occupiers of No 131. Therefore, this is not a matter that weighs significantly against the scheme.

Conditions

10. In the event that the appeal was allowed, the Council has suggested planning conditions. I have assessed these against the tests set out in Paragraph 55 of the Framework.
11. In addition to the standard condition limiting the lifespan of the planning permission, I have also specified the approved plans in the interests of certainty. A condition securing matching materials is necessary to protect the character and appearance of the appeal property and the area.

Conclusion

12. For the reasons set out above, the proposal would not conflict with the development plan. Therefore, the appeal should be allowed and planning permission should be granted, subject to conditions.

Sarah Manchester

INSPECTOR